

SUBCHAPTER 2. LICENSURE REQUIREMENTS

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19:49-2.1 Junket representatives

(a) A junket representative, as defined in the Act, is any natural person who negotiates the terms of, engages in the referral, procurement or selection of persons who may participate in any junket to a licensed casino, regardless of whether or not those activities occur within the State of New Jersey. If a person performs any one of these functions in connection with a junket to a licensed casino, that person is a junket representative for the purposes of the Act and this chapter.

(b) The fact that a person licensed as a casino employee may, pursuant to N.J.S.A. 5:12-102 and (c)3 below, act as a junket representative while employed by a casino licensee or affiliate of a casino licensee does not excuse the casino licensee, affiliate of a casino licensee or any other person from meeting any other licensing, registration or reporting obligation which may exist as a result of the conduct of the junket activity.

(c) Except as otherwise provided by N.J.S.A. 5:12-102o, no person shall act as a junket representative in connection with a junket to a licensed casino unless he or she:

1. Has been plenary or temporarily licensed as a junket representative in accordance with the provisions of section 102 of the Act and is employed by a licensed casino or an affiliate of a casino licensee;
2. Has been licensed as a junket enterprise in accordance with the provisions of section 102 and subsection 92(c) of the Act, N.J.A.C. 19:43 and this chapter, or has been registered as a junket enterprise vendor in

accordance with the provisions of N.J.A.C. 19:41-11 and this chapter; or

3. Is the holder of a current and valid casino employee license, is currently employed by the casino licensee or affiliate of the casino licensee for whom such junket representative services are being rendered and is reported to the Division in accordance with the requirements of N.J.A.C. 19:49-3.6, or

4. Is employed as a junket representative by a junket enterprise which is licensed in accordance with the provisions of section 102 and subsection 92(c) of the Act, N.J.A.C. 19:41 and 19:51 and this chapter, or by a junket enterprise which is registered as a junket enterprise vendor in accordance with the provisions of N.J.A.C. 19:43-10.4 and this chapter.

(d) A junket representative may only be employed by one casino licensee, an affiliate of a casino licensee or junket enterprise at a time. For the purposes of this section, to qualify as an employee of a casino licensee, a junket enterprise licensee or a junket enterprise vendor, a junket representative must:

1. Receive all compensation for his or her services as a junket representative through the payroll account of the employer; and

2. Exhibit all other appropriate indicia of genuine employment, including Federal and State taxation withholdings.

(e) No casino licensee or junket enterprise shall employ or otherwise engage the services of a junket representative except in accordance with the provisions of this section. A junket representative may begin employment with:

1. A casino licensee as soon as he or she is licensed by the Commission in accordance with (c) above; or

2. A junket enterprise as soon as the enterprise or the junket representative has completed and filed with the Commission all information required by the Act and the regulations of the Commission.

As amended, effective: 04/03/89

As amended, effective: 10/19/92

As amended, effective: 06/19/95

19:49-2.2 Junket enterprises

(a) A junket enterprise, as defined in the Act, is any person, other than the holder of or an applicant for a casino license, who employs or otherwise engages the services of a junket representative in connection with a junket to a licensed casino, regardless of whether or not such activities occur within the State of New Jersey.

(b) A junket enterprise shall be registered as a junket enterprise vendor in accordance with the provisions of N.J.A.C. 19:43-10.4 and this chapter or licensed as a junket enterprise in accordance with the provisions of N.J.S.A. 5:12-92(c), 5:12-102 and N.J.A.C. 19:41 and 19:51 prior to a casino licensee permitting a junket involving that junket enterprise to arrive at its casino. A junket enterprise shall be considered "involved" in a junket to a licensed casino if it receives any compensation whatsoever from any person as a result of the conduct of the junket. No casino licensee or junket enterprise may engage the services of any junket enterprise which has not been so registered or licensed.

As amended, effective: 10/19/92

As amended, effective: 06/19/95

19:49-2.3 Application for initial junket enterprise license

(a) An application for initial issuance of a junket enterprise license pursuant to N.J.S.A. 5:12-92c and 102 shall consist of the fee specified in N.J.A.C. 19:41-9.9A and a completed original and one copy of the following:

1. A Business Entity Disclosure Form - Gaming (BED-Gaming) for the applicant and for each holding company of the applicant as set forth in N.J.A.C. 19:41-5.15;

2. The following, in a format prescribed by the Commission:

- i. A notarized acknowledgement of the equal employment and business opportunity obligations imposed by N.J.S.A. 5:12-134 and 135 and N.J.A.C. 19:53 which shall be signed and dated by the president, chief

executive officer, partner or sole proprietor, as applicable; and

ii. For each junket enterprise that employs 50 or more employees in the State of New Jersey, a statistical report of the composition of the applicant's work force;

3. A completed application in accordance with N.J.A.C. 19:41-7.1A, including a Junket Enterprise Qualifier Disclosure Form (JE/QDF) as set forth in N.J.A.C.19:41-5.3, for each person required to be qualified pursuant to N.J.S.A. 5:12-92c and 102 and N.J.A.C. 19:51-1.14(a)2 or (b); and

4. Notice of a designated agent for service of process.

As adopted, effective: 07/05/94

As amended, effective: 07/17/95

As amended, effective: 03/02/98

19:49-2.4 Application for renewal of junket enterprise license

(a) An application for renewal of a junket enterprise license pursuant to N.J.S.A. 5:12-92c and 102 shall consist of the fee specified by N.J.A.C. 19:41-9.9A and a completed original and one copy of the following:

1. A Business Entity Disclosure Form - Gaming (BED-Gaming) for the applicant and for each holding company of the applicant as set forth in N.J.A.C. 19:41-5.15;

2. The following, in a format prescribed by the Commission:

i. A notarized affidavit of compliance with the equal employment and business opportunity requirements of N.J.S.A. 5:12-134 and 135 and N.J.A.C. 19:53 which shall be signed and dated by the president, chief executive officer, partner or sole proprietor of the applicant, as applicable; and

ii. For each junket enterprise that employs 50 or more employees in the State of New Jersey, a statistical report of the composition of the applicant's work force in New Jersey;

3. A completed application in accordance with N.J.A.C. 19:41-7.1A, including a Junket Enterprise Qualifier Disclosure Form (JE/QDF) as set

forth in N.J.A.C. 19:41-5.3, for each person required to be qualified pursuant to N.J.S.A. 5:12-92c and 102 and N.J.A.C. 19:51-1.14(a)2 or (b) who has not previously been found qualified;

4. A Key Standard Qualifier Renewal Form as set forth in N.J.A.C. 19:41-5.5A for each person required to be qualified pursuant to N.J.S.A. 5:12-92c and 102 and N.J.A.C. 19:51-1.14(a)2 or (b) who has previously been found qualified; and

5. Notice of a designated agent for service of process.

As adopted, effective: 07/05/94

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